

Jasper County Register of Deeds Minimum Recording Requirements

These are minimum requirements for recording documents in the Jasper County Register of Deeds Office only. This is not to be utilized as legal advice. Please contact an attorney for further instructions.

Deeds:

1. Grantor(s) name
2. Grantee(s) name and address
3. Legal description – sufficient enough to locate property (NO street addresses)
4. Derivation clause – previous deed filing information
5. Original signature(s) of Grantor(s)
6. 2 different witnesses (1 witness can also be the notary)
7. Either an Acknowledgment or Probate – notary's Affiant Statement is not sufficient
8. Documentary Stamps - \$3.70 per thousand plus filing fee (see filing fees)
9. Affidavit of Consideration needed only in cases where amount is not stated on document or when deed is exempt from documentary stamps.
10. Tax Map & Parcel number

Mortgages:

1. Mortgagor(s) name
2. Mortgagee(s) name and address
3. Legal description - sufficient enough to locate property (NO street addresses)
4. Derivation clause – previous deed filing information
5. Original signature(s) of Mortgagor(s)
6. 2 different witnesses (1 witness can also be the notary)
7. Either an Acknowledgment or Probate – notary's Affiant Statement is not sufficient
8. Appropriate filing fee (see filing fees)

Bond for Title: (Real Estate)

1. Date of Sale
2. Owners name (spelled exactly as on the Deed)
3. Buyers name
4. Legal property description (not street address)
5. Derivation clause
6. Purchase price
7. Terms of loan (amortization schedule)
8. Default/forfeiture clause
9. Tax map & parcel number
10. Signature of Seller
 - a. 2 witnesses
 - b. Notary (acknowledgement or probate)

Bond for Title (Mobile Home)

1. All the above except legal property description
2. Make/model/serial number of mobile home

Plats:

1. Must be approved by Zoning or Planning Department
2. Surveyor's name, address and signature

3. Embossed seal of surveyor
4. If surveyor represents a survey company must have Certificate of Authorization seal.
5. Vicinity Map
6. North Arrow
7. Graphic Scale
8. Acreage
9. Owners name, prepared for, or at the request of...
10. Appropriate filing fee (see filing fees)
11. No plat over 8 1/2 X 14 can be attached to other documents as an Exhibit. Large plats must be filed independently.
12. Tax, Map & Parcel number

Floor Plans:

1. Must be accompanied by either original survey or certified copy of survey from Register of Deeds Office
2. Each page is charged filing fee including survey page (see filing fees)

Affidavits:

1. Must have names of both parties
2. If referencing a previously filed document, must provide recording information for referenced document.
3. NO witnesses required
4. Notary Affiant Statement

Power of Attorneys:

1. Must have names of both parties.
2. 2 different witnesses needed.
3. Acknowledgment or Probate needed
4. Military Powers of Attorney do not require witnesses or notary

Satisfactions:

1. Must state in some similar wording "paid & satisfied"
2. Date of satisfaction
3. Names of both parties
4. If satisfaction is on the original document, only 1 witness required
5. Must have recording information of original Mortgage
6. If the original document is not used, must provide a Lost-Form Affidavit

All other documents:

1. 2 witnesses
2. Probate or Acknowledgment
3. Property description or reference to previously recorded documents

UCC 1 (original filing)

1. Debtor's name and address
2. Secured party name and address
3. Collateral must be real estate (personal property is filed with Secretary of State)
4. Box 6 must be checked indicating cross reference into real estate records
5. No signatures are required

UCC 3 (includes assignments, amendments, partial release & termination)

1. Debtor's name
2. Secured party name
3. reference number of original filing
4. If partial release, must identify property being released
5. No signatures required

Mechanic's Lien/Assessment Liens

1. Plaintiff's name (grantor)
2. Defendant's name (grantee)
3. Amount owed
4. State of Account attached
5. signature of Plaintiff or it's attorney
6. No witnesses required
7. Must be notarized
8. Legal Property description

Manufactured Home Affidavit for the Retirement of Title Certificate

1. Must remove wheels, axles, & tow bar
2. Proof of ownership/deed
3. Attach copy of Certificate of Occupancy from Building Department

Project Commencement:

1. Name and address of filer (grantor)
2. Name and address of the owner or developer (grantee)
3. general description of the property
4. location of project (preferably legal description or tax map number)

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Beginning June 15, 2009, these guidelines are to be utilized by the Jasper County Register of Deeds Office. Given that specific documents are generally uniform in context, these rules are to be used as standards. However, occasionally various documents contain a different format than usual. In these instances, the following rules are to be considered only as a guide to recording, indexing, verifying, and correcting records.

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As to Recording, Indexing, and Verifying

Altered checks may be accepted as long as the change has been initialed by authorized party. This includes payee, date, and amount. (per Ronnie Malphrus)

Use common name table (if applicable) wherever possible.

Index all versions of a name as it appears on a document.

Do not index NA as the suffix on banks.

No punctuation.

Foreclosure satisfaction from Clerk of Court – no charge

Foreclosure satisfaction from attorney - \$5.00

Deed of Distribution must have case number.

Clerk's Deeds:

Index Deed out of Clerk of Court's name and the defendant's. If "whereas clause" gives only the history of the transaction, do not index former party(s) name(s). If the deed is a direct transaction from a party within the "whereas clause", index party(s) name(s).

Hyphenated names are indexed two ways: hyphenated name as last name, and using hyphenated name as middle and last name.

Fiduciary documents from Probate Court – no charge

Fiduciary documents from attorney - \$15.00

Mortgage can be satisfied in counterparts SC Code 293-330(d). Partial Releases continuously filed until mortgaged property is completely released.

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As to Correction of Index

In the event that a correction must be made to an existing index, only the Registrar is authorized to make changes, unless otherwise instructed.

Changes that affect a search, such as, misspelled names, omitted names, names indexed as an entity instead of individual, individual instead of entity are to be noted on the “change comment” line of the index (including date of change). This will color code the on-line index indicating a change has been made.

Changes that do not directly affect a search, such as name suffixes (jr., sr., III), initials (unless signified as part of the name i.e. B.J. Jones; R Thayer Rivers, etc.) are to be noted on the “comment-external” line of the index (including date of change). This will not color code the index but will be available on the search detail section of the screen.

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Re-recording/rescanning: 1/21/2010 per Marvin Jones, once a document has been scanned, it MUST be re-recorded to correct any errors. (Errors by both individual and ROD office)

Public View: 1/25/2010 per Marvin Jones, all newly recorded